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11 GARY FARRAR,
12 Chapter 7 Trustee

13 **UNITED STATES BANKRUPTCY COURT**

14 **EASTERN DISTRICT OF CALIFORNIA**
15 **(Sacramento Division)**

16 In re

17 **ANTHONY K. MORA, SR. and**
18 **DENISE F. MORA,**

19 **Debtors.**

Case No.	09-45016-A-7
DC No.:	HSM-010
Date:	March 29, 2010
Time:	9:00 a.m.
Place:	501 I Street Sacramento, CA Ctrm. 28, 7 th Flr.
Judge:	Michael S. McManus

20 **MOTION TO ABANDON PROPERTY OF THE ESTATE LOCATED AT**
21 **18776 E. B STREET, CLEMENTS, CALIFORNIA**

22 GARY FARRAR, the Chapter 7 Trustee herein ("Trustee"), moves this court for authority
23 to abandon the estate's interest in real property of the estate located at and commonly known
24 as 18776 E. B Street, Clements, California (the "Property"). The Trustee's motion to abandon
25 the Property (the "Motion") is made pursuant to 11 U.S.C. § 554(a) because the Property is of
26 inconsequential value or benefit to the estate and is otherwise burdensome to the
27 administration of this case. In support of the Motion, the Trustee respectfully represents as
28 follows:

29 1. ANTHONY K. MORA, SR. and DENISE F. MORA, the Debtors herein
30 ("Debtors"), filed their voluntary petition under Chapter 7 of the Bankruptcy Code on November
31 16, 2009. The Trustee was appointed Chapter 7 Trustee on that date.

1 2. Jurisdiction for the filing of this motion exists pursuant to 28 U.S.C. § 157 and
2 1334; 11 U.S.C. § 554(a); and the reference to this court by the District Court for the Eastern
3 District of California.

4 3. In their Schedule A, filed December 8, 2009, the Debtors listed the Property as
5 having a value of \$375,000.00. In their Schedule D, filed December 8, 2009, the Debtors listed
6 \$200,000.00 in claims secured by a deed of trust recorded against the Property. The Trustee
7 believes the Property is part of the property located at 18740B/22588 Third Street, Clements
8 CA ("18740B Property"), and may have been scheduled separately in error. At the hearing
9 held February 16, 2010, the Court ordered the 18740B Property abandoned.

10 4. Pursuant to 11 U.S.C. § 554(a), after notice and a hearing, the Trustee "...may
11 abandon any property of the estate that is burdensome to the estate or that is of
12 inconsequential value and benefit to the estate."

13 5. The Trustee has investigated the Property by visiting the Property twice,
14 consulting with his real estate broker, internet research, and review of the Debtors' Schedules.
15 Based upon his investigation and experience as a Chapter 7 Trustee, the Trustee believes that
16 there is no realizable equity in the Property, and it is therefore of inconsequential value and
17 benefit to the estate.

18 6. Further, the Property is or may be burdensome to the estate due to potential
19 security, maintenance and insurance costs, and other potential risks faced by the estate
20 through continued ownership of the Property, including negative tax consequences from a
21 potential foreclosure on the Property.

22 **WHEREFORE**, the Trustee respectfully requests that the Court order that the Property
23 be abandoned.

24 Dated: February 25, 2010

HEFNER, STARK & MAROIS, LLP

25 By

26 Aaron A. Avery, Attorneys for
27 GARY FARRAR, Chapter 7 Trustee

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